

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

October 20, 2003

CALL TO PODIUM:

Erica Shingara, Environmental Specialist

RESPONSIBLE STAFF:

Erica Shingara, Environmental Specialist

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	Other:

PUBLIC HEARING HISTORY:

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

TITLE:

Resolution of the Mayor and City Council Approving a Waiver of the Environmental Standards for Development Regulation to Permit Stream Stabilization at Forest Oak Towers at 101 Odenhal Avenue

SUPPORTING BACKGROUND:

Forest Oak Towers is requesting a waiver of the Environmental Standards to address 57 linear feet of existing stream bank and buffer erosion along an intermittent, tributary of Whetstone Run.

Currently, the stream bank and buffer are experiencing severe erosion due to uncontrolled stormwater runoff from an adjacent highly impervious residential lot. Stormwater runoff from this adjacent property currently runs through Forest Oak Towers' property and is severely eroding gullies in the stream buffer and destabilizing the stream bank.

In order to perform this stabilization, clearing and grading within the stream buffer is necessary to repair the existing scoured areas and prevent future erosion. Approximately 11,148 square feet of buffer will be temporarily disturbed during construction and will then be reforested at a ratio of 2:1 at the project's completion.

As you recall, the 2002 Stream Assessment and the Master Plan Environment Theme recommend that the City work with private landowners to restore streams on private property. Staff has worked with the applicant to minimize disturbance and tree removal; while meeting the stream stabilization design requirements. With the completion of this project, the gullies and stream bank will be stabilized and consequently reduce sediment loading to the stream, thereby improving water quality.

Attachments:

- (1) Stream stabilization plan
- (2) Resolution

DESIRED OUTCOME:

Approve resolution.

Forest Oak Towers

Stream Stabilization

ProjectName.mxd · 11-Jan-2003 · jke

0 30 60 120 Feet

MD State Plane
HPGN NAD 83/91

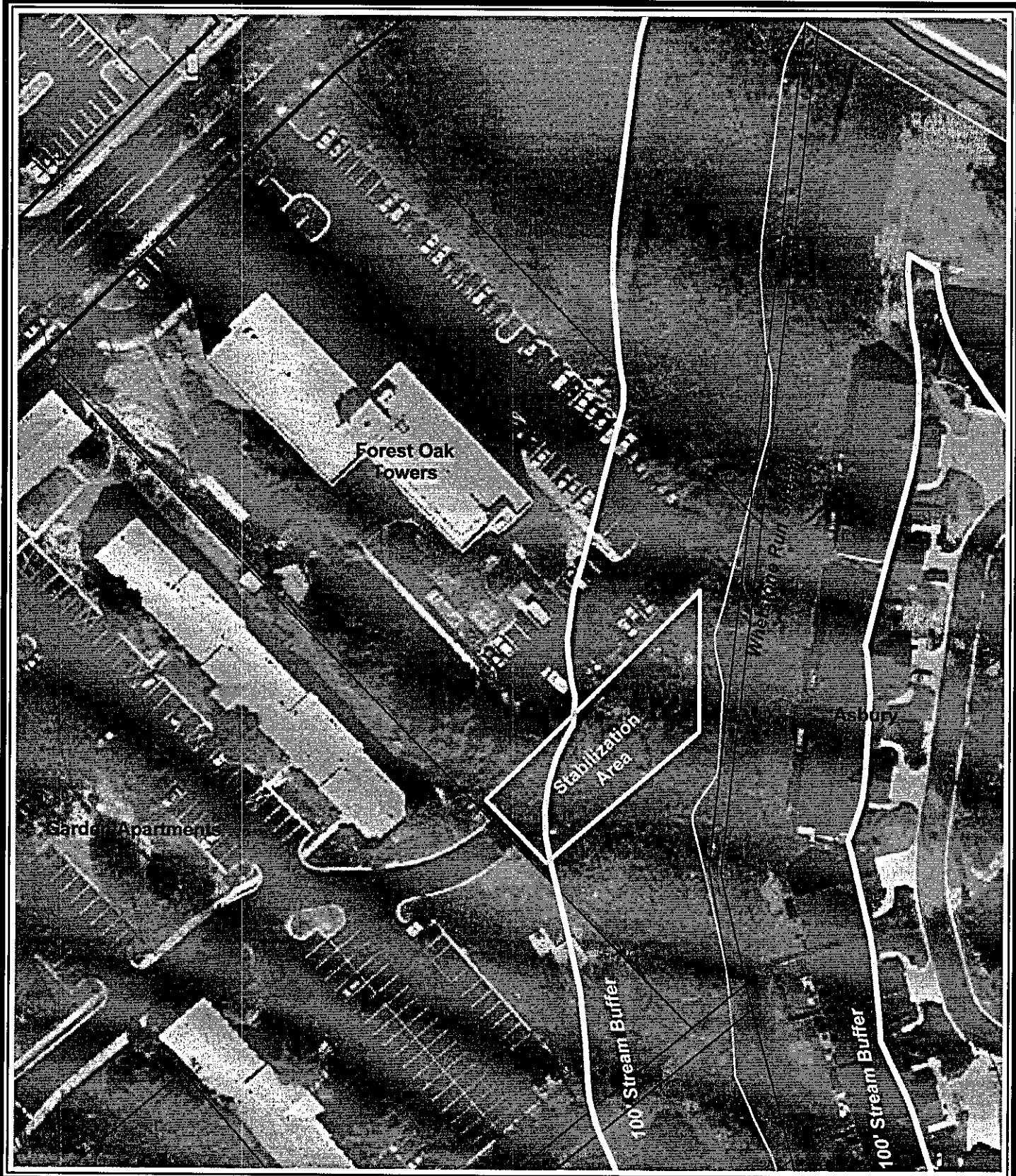


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ASBURY
METHODIST HOME
LUBER 2619 FOLIO 413



RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL APPROVING
A WAIVER OF THE ENVIRONMENTAL STANDARDS FOR DEVELOPMENT
REGULATION TO PERMIT STREAM STABILIZATION AT
FOREST OAK TOWERS AT 101 ODENHAL AVENUE

WHEREAS, the Environmental Standards for Development Regulation was adopted by the Mayor and City Council on November 19, 2001, providing the Mayor and City Council the authority to grant a waiver; and

WHEREAS, the Master Plan Environment Theme and the 2002 Stream Assessment recommend that the City work with private landowners to restore streams on private property; and

WHEREAS, staff has worked with the applicant to minimize disturbance and tree removal; while meeting the stream stabilization design requirements; and

WHEREAS at the completion of this project, the gullies and stream bank will be stabilized and reforested in order to reduce sediment loading to the stream; thereby improving water quality;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, that the request for a waiver of the Environmental Standards for Development Regulation to permit stream stabilization at Forest Oak Towers at 101 Odenhal Avenue is hereby approved subject to the following conditions:

1. The applicant must obtain a grading permit from the Department of Planning and Code Administration for the proposed land disturbance associated with the stream stabilization.
2. The applicant must obtain a permit from the Maryland Department of Environment for the proposed stream disturbance associated with the stream stabilization.

ADOPTED by the Mayor and City Council this 20th day of October, 2003.

SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in public meeting assembled on the 20th day
of October, 2003.

David B. Humpton, City Manager